

UNITED STATES DISTRICT COURT

for the

Northern District of Ohio

____ Eastern ____ Division

Dwight Egbert

Case No.

1:24 CV 01988

(to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

Taddies Auto Body and Service Center
"see attached"

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Jury Trial: (check one) ☐ Yes ☒ No

JUDGE FLEMING

MAG JUDGE ARMSTRONG

FILED

NOV 14 2024

CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Dwight Egbert
Street Address	44 River Rd
City and County	Hinckley Township Medina County
State and Zip Code	Ohio 44233
Telephone Number	216-213-9364
E-mail Address	dwrightegbert@gmail.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Receipt # 155102 11/14/2024 CMH

Defendant No. 1

Name	Taddies Auto Body and Service Center
Job or Title <i>(if known)</i>	
Street Address	12999 Royalton Rd.
City and County	North Royalton Cuyahoga County
State and Zip Code	Oh 44233
Telephone Number	440 582-2720
E-mail Address <i>(if known)</i>	

Defendant No. 2

Name	Robert Taddie
Job or Title <i>(if known)</i>	owner
Street Address	1973 Ledge Rd.
City and County	Hinckley Township Medina County
State and Zip Code	Ohio 44233
Telephone Number	440 582-2720
E-mail Address <i>(if known)</i>	

Defendant No. 3

Name	Brian Nescola
Job or Title <i>(if known)</i>	owner
Street Address	85 Brookside Blvd.
City and County	Hinckley Township Medina County
State and Zip Code	Ohio 44233
Telephone Number	
E-mail Address <i>(if known)</i>	

Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

42U.S.C.12132 Discrimination
42U.S.C.12134(c) Regulation Standards

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* Dwight Egbert, is a citizen of the
State of *(name)* Ohio.

b. If the plaintiff is a corporation

The plaintiff, *(name)* Taddies Auto Body and Service Center, is incorporated
under the laws of the State of *(name)* Ohio,
and has its principal place of business in the State of *(name)*
Ohio.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* Robert Taddie and Brian Nescola, is a citizen of
the State of *(name)* Ohio. Or is a citizen of
(foreign nation) Ohio.

b. If the defendant is a corporation

The defendant, (name) Taddies Auto Body and Service Center, is incorporated under the laws of the State of (name) Ohio, and has its principal place of business in the State of (name) Ohio.
Or is incorporated under the laws of (foreign nation) _____,
and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

\$25,000

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

They do not have handicapped spot. Then refuse services after I have had my car services before because I wasn't working while on leave. Rudely told me to paint my car with nail polish and be someones wife. Then when I bought the supplies and demonstrated good painting workmanship, they exhibited able-ism and called me stupid.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

\$10,000 emotional distress, pain and suffering
\$5,000 litigation expenses
\$10,000 punitive for recklessness

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/14/2024

Signature of Plaintiff

Printed Name of Plaintiff


Dwight Egbert

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address